

**United States District Court**  
**EASTERN DISTRICT OF TEXAS**  
**SHERMAN DIVISION**

CARROLLTON PROPERTIES, LTD. §  
and MOORE HOMESTEAD §  
§  
V. § CASE NO. 4:06cv308  
§ (Judge Schneider/Judge Bush)  
§  
CITY OF CARROLLTON, TEXAS §

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION**  
**OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On September 1, 2006, the Report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff's Motion to Remand be GRANTED.

The court, having made a *de novo* review of the objections raised by Defendant thereto, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Defendants are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court. It is, therefore,

**ORDERED, ADJUDGED and DECREED** that the Plaintiff's Motion to Remand be GRANTED.

SIGNED this 4th day of October, 2006.



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE